



Request for Proposals—July 18, 2022

Virtual Public Engagement in Agency Rulemaking

The Administrative Conference of the United States (ACUS) is accepting proposals from individuals or groups interested in serving as a consultant(s) to produce a report on issues related to virtual public engagement in agency rulemaking.

Project Description and Consultant Responsibilities

Agencies are generally required to give interested persons an opportunity to participate in rulemakings, typically through submission of written comments or, in some cases, through other forms of public engagement. ACUS has recommended that agencies consider additional methods for engaging with the public throughout the rulemaking process, including holding meetings with and undertaking other forms of targeted outreach to groups that might not otherwise submit comments. Traditionally, public engagement efforts have often involved in-person meetings. But many agencies have developed new techniques for optimizing public engagement through virtual platforms in recent years, particularly in response to the COVID-19 pandemic.

ACUS is now undertaking a project to study agencies' use of virtual public engagement efforts in connection with their rulemaking activities. The consultant(s) will prepare a report that explores a variety of practical issues, including when agencies should offer either fully or partially virtual meetings and how to structure those meetings in a way that meets public expectations and promotes valuable input for the agency. The report will also examine the legal constraints under which agencies operate. The report will then offer recommended best practices to agencies regarding the use of virtual platforms to promote public engagement in agency rulemaking.

The draft report will be completed by February 2023, and the consultant(s) will then be expected to work with ACUS staff and committees as ACUS develops recommendations from the report in time for ACUS's June 2023 plenary session. ACUS may select a single consultant or assemble a team of consultants depending on the proposals it receives. Consultants will receive between \$8,000 and \$25,000, plus a budget for related expenses, depending on the number of consultants and allocation of responsibilities. The total value of consulting fees for this project will not exceed \$25,000, to be apportioned in accordance with the number of consultants and division of responsibilities.

Submitting a Proposal and Evaluation Criteria

If you are interested in serving as a consultant for the report, send an email to Kazia Nowacki (knowacki@acus.gov) with the phrase “ACUS Project Proposal” in the subject line. Attach your curriculum vitae to the email, along with a short (ideally no more than two pages) statement identifying what you see as the primary issues that the report should address. **Proposals must be submitted by 5:00 p.m. Eastern Time on August 5, 2022, in order to be guaranteed consideration by the agency.**

Proposals will be evaluated based on quality, clarity, and the proposer’s qualifications. ACUS has a strong preference for consultants who have previously authored scholarly work on public engagement in agency rulemaking, particularly the use of technology to facilitate public engagement.